



**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

6783P005X

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 14, 2006

Signature

Typed or printed

name Katherine Jennings

In re Application of

Timothy W. Genske, et al.

Application Number

Filed

09/847,811

05/01/2001

For: **System and Method for Dynamic Uploading and Execution of Applications and Drivers**

Art Unit

2142

Examiner

Lin, Kelvin Y.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

- Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

I am the

applicant/inventor.

_____ Signature

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

Paul A. Mendonsa, Reg. No. 42,879

_____ Typed or printed name

attorney or agent of record.

12/14/06

attorney or agent acting under 37 CFR 1.34(a).

_____ Date

Registration number if acting under 37 CFR 1.34(a) _____.

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.



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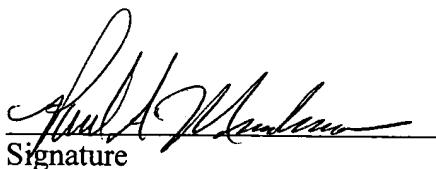
2142

Examiner

Lin, Kelvin Y.

In accordance with MPEP 1204.01, it is respectfully requested that all previously paid fees set forth in 37 C.F.R. 41.37 for filing a notice of appeal shall be applied to this notice of appeal as a final Board decision has not been made on the prior appeal. The appeal fees have not increased since they were previously paid.

I am the attorney or agent of record.



Signature

Paul A. Mendonsa, Reg. No. 42,876

Typed or Printed Name

*Total of _____ forms are submitted.